THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.22585 of 1994

Dated:18.1.2007

Between
T.Kumara swamy

…..Petitioner

and

1.Managing Director, A.P.
Vikalangula Cooperative Corporation
Ltd., A.C.Guards, Hyderabad
And another.

…Respondents

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ORAL ORDER:

Learned counsel on either side fairly conceded that the issue that arises for consideration in this Writ Petition is squarely covered by a Judgment rendered in Writ Appeal No.671 of 1999 and batch, dated 15-2-2006.

In the said Writ Appeal, the learned Standing Counsel for the respondent-Corporation submitted that the Government has taken a decision for appointing an Arbitrator and following the same, the Commissioner, Disabled Welfare and State Commissioner under Persons with Disabilities Act,1995 and functional Registrar under the

Andhra Pradesh Cooperative Societies Act,1964 (for short 'the Act') has already issued Proceedings dated 2-2-2006 and thereby an Arbitrator was appointed. Under the said reference, which was made under Section 61 of the Act, the Arbitrator has to go through all the aspects irrespective of the fact of any action taken at any level including the Government and has to resolve any dispute that may arise between A.P.Vikalanguala Cooperative Corporation and its members, employees, debtors, creditors or shareholders, so that the disputes can be settled sooner at lesser cost. Having regard to the same, the Division Bench held that it was open for the respondent/writ petitioners therein and the employees to appear before the Arbitrator and raise their claims and the same would be gone into and considered on merits and in accordance with law by the Arbitrator.

In view of the above, this Writ Petition has become infructuous and is also accordingly dismissed with liberty to the petitioner to agitate all such questions before the Arbitrator and till the disposal of the case by the Arbitrator, the interim Order granted by this Court, in this Writ Petition, shall continue to remain in force. No order as to costs.

18-1-2007

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